

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
UNITED STATES OF AMERICA,

-against-

NAIM ISMAIL,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 7/26/2022

18 Cr. 791 (AT)

**ORDER**

The Court has reviewed the parties' letters filed on July 24 and 25, 2022, addressing whether Roberta Grobel-Intrater should be allowed to speak at Defendant's sentencing as a victim under the Crime Victims' Rights Act (the "CVRA"), 18 U.S.C. § 377(a)(4). ECF Nos. 65–67.

Under the CVRA, a crime victim is any "person directly and proximately harmed as a result of the commission of a Federal offense." 18 U.S.C. 3771(e)(1)(A). Additionally, "[i]n the case of a crime victim who is . . . deceased, . . . family members[] may assume the crime victim's rights." 18 U.S.C. §§ 3771(e)(2)(B).

The Court finds that Ms. Grobel-Intrater should be allowed to speak as a victim under the CVRA on her own behalf or on behalf of her deceased mother. Although Ms. Grobel-Intrater was eventually able to recover her investment from Defendant, she was fraudulently induced to provide that investment, and she was denied the use of her money for the time period between when Defendant promised to return her funds and when he actually returned them. *See* ECF No. 54-7. Additionally, Ms. Grobel-Intrater can speak on behalf of her deceased mother, who lost a \$130,000 investment. *See id.* Accordingly, Defendant's request to prevent Ms. Grobel-Intrater from speaking at his sentencing is DENIED. The Clerk of Court is directed to terminate the motion at ECF No. 56.

SO ORDERED.

Dated: July 26, 2022  
New York, New York



ANALISA TORRES  
United States District Judge